

CR-15-00226-BLF

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

DOUGLAS STORMS YORK

SUPERSEDING INDICTMENT

Count 1: 18 U.S.C. § 912 – False Impersonation of an Employee of the United States

Count 2: 47 U.S.C. § 223(a)(1)(C) – Telecommunications Device Harassment

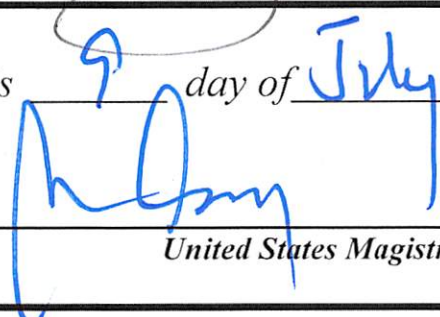
A true bill.



Foreperson

Filed in open court this
A.D. 201

9 day of *July*


United States Magistrate Judge

Bail. \$

No Process

MELINDA HAAG (CABN 132612)
United States Attorney

Filed
JUL 09 2015
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|--|
| UNITED STATES OF AMERICA, |) | NO.: CR-15-00226-BLF |
| |) | |
| Plaintiff, |) | <u>VIOLATIONS:</u> 18 U.S.C. § 912 – False |
| |) | Impersonation of an Employee of the United States; |
| v. |) | 47 U.S.C. § 223(a)(1)(C)- Obscene or Harassing |
| |) | Phone Calls |
| DOUGLAS STORMS YORK, |) | |
| |) | SAN JOSE VENUE |
| Defendant. |) | |

SUPERSEDING INDICTMENT

The Grand Jury Charges:

COUNT ONE: (18 U.S.C. § 912 – False Impersonation of an Employee of the United States)

On or about February 23, 2012, in the Northern District of California, the defendant,
DOUGLAS STORMS YORK,
did falsely assume and pretend to be an officer and employee of the United States acting under the
authority thereof, that is, as an agent of the Internal Revenue Service, and in such assumed and
pretended character did act as such, in that he falsely stated that he was an Agent of the Internal Revenue
Service engaged in investigating tax records, in violation of Title 18, United States Code, Section 912.

INDICTMENT

COUNT TWO: (47 U.S.C. § 223(a)(1)(C) – Telecommunications Device Harassment)

On or about February 23, 2012, in the Northern District of California, the defendant,
 DOUGLAS STORMS YORK,
 without disclosing his identity and with intent to abuse, threaten, and harass a specific person, did make
 a telephone call and utilize a telecommunications device in interstate and foreign communications, in
 that he left a voicemail for Allan Hessenflow, stating:

Hello, Allan. My name is Judy Smith. I'm with the IRS- Internal Revenue Service. I am calling you we are going to be requesting a tax audit, get some information [garbled] that was read to you. And would like to check your records for the following years: 2005, 2006, 2007, and if you could please return my call at the number listed on the caller ID, that would be appreciated. And once again, if we cannot reach you, we will definitely be checking into your past and I'll be looking into your records. Thanks a lot, and we'll call back tomorrow.

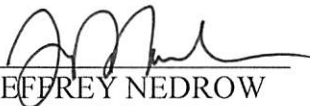
All in violation of 47 U.S.C. § 223(a)(1)(C).


DATED: *9 July 2015*

A TRUE BILL


 FOREPERSON

MELINDA HAAG
 United States Attorney


 JEFFREY NEDROW
 Chief, San Jose Branch Office

(Approved as to form: )
 SAUSA Brianna Penna

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

Count 1: 18 U.S.C. § 912 – False Impersonation of an Employee of the United States

☐ Petty☐ Minor

Count 2: 47 U.S.C. § 223(a)(1)(C) – Telecommunications Device Harassment

☐ Misdemeanor☒ Felony

PENALTY: Count One: 3 years imprisonment; \$250,000 fine; 1 year supervised release; \$100 special assessment fee.

Count Two: 2 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 mandatory special assessment fee

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

DOUGLAS STORMS YORK

DISTRICT COURT NUMBER

CR-15-00226-BLF

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

NDCA

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Donna Aguirre, TIGTA

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of

☐ charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

this prosecution relates to a

☐ pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

SAUSA Brianna Penna

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☐ WARRANT

If Summons, complete following:

☒ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: July 13, 2015 at 1:30pm Before Judge: Howard R. Lloyd

Comments: